

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EDERY HERRERA, on behalf of himself and  
all other persons similarly situated,

Plaintiff,

-v.-

TERVIS TUMBLER COMPANY,

Defendant.

1:24-cv-01739 (JHR)

ORDER OF DISMISSAL

JENNIFER H. REARDEN, District Judge:

The Court, having been advised at ECF No. 20 that the parties have reached a settlement in principle, hereby ORDERS that the above-entitled action be and is hereby DISMISSED with prejudice and discontinued without costs. **Within 45 days** of the date of this Order, if the settlement is not consummated, the parties may apply to reopen the action.

To be clear, any application to reopen **must** be filed **by the aforementioned deadline**; any application to reopen filed thereafter may be denied solely on that basis. **Further, requests to extend the deadline to reopen are unlikely to be granted.**

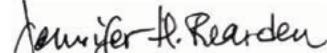
If the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they **must** submit the settlement agreement to the Court by the deadline to reopen to be “so ordered” by the Court. Pursuant to Paragraph 6.C of the Court’s Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are canceled. The Clerk of Court is directed to CLOSE the case.

SO ORDERED.

Dated: August 20, 2024

New York, New York



JENNIFER H. REARDEN  
United States District Judge